



3731 /

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Edwin C. Bartlett et al.
Serial No.: 09/711,039
Filing Date: 11/09/2000
Title: APPARATUS AND METHOD FOR
ANCHORING SUTURES
Group Art Unit: 3731
Examiner: Gary Jackson
Attorney's Docket No.: MIT-0223

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.56, 1.97 and 1.98, Applicants hereby make the following documents of record in the above-identified application:

U.S. Patents

- (1) U.S. Patent No. 1,538,173 issued 05-19-1925 to Daughaday
- (2) U.S. Patent No. 3,254,890 issued 06-07-1966 to Watson
- (3) U.S. Patent No. 3,907,289 issued 09-23-1975 to Bondu, Sr.
- (4) U.S. Patent No. 3,973,277 issued 08-10-1976 to Semple et al.
- (5) U.S. Patent No. 4,386,971 issued 06-07-1983 to Melton et al.
- (6) U.S. Patent No. 4,404,025 issued 09-13-1983 to Mercier et al.
- (7) U.S. Patent No. 4,502,896 issued 03-05-1985 to Duerig et al.
- (8) U.S. Patent No. 4,505,767 issued 03-19-1985 to Quin
- (9) U.S. Patent No. 4,524,765 issued 06-25-1985 to de Zbikowski
- (10) U.S. Patent No. 4,533,411 issued 08-06-1985 to Melton
- (11) U.S. Patent No. 4,553,543 issued 11-19-1985 to Amarasinghe
- (12) U.S. Patent No. 4,565,589 issued 01-21-1986 to Harrison
- (13) U.S. Patent No. 4,605,414 issued 08-12-1986 to Czajka
- (14) U.S. Patent No. 4,632,100 issued 12-30-1986 to Somers et al.
- (15) U.S. Patent No. 4,669,473 issued 06-02-1987 to Richards et al.
- (16) U.S. Patent No. 4,669,725 issued 06-02-1987 to Taylor
- (17) U.S. Patent No. 4,678,470 issued 07-07-1987 to Nashef et al.

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- (18) U.S. Patent No. 4,738,255 issued 04-19-1988 to Goble et al.
- (19) U.S. Patent No. 4,741,330 issued 05-03-1988 to Hayhurst
- (20) U.S. Patent No. 4,832,026 issued 05-23-1989 to Jones
- (21) U.S. Patent No. 4,898,156 issued 02-06-1990 to Gatturna et al.
- (22) U.S. Patent No. 4,899,743 issued 02-13-1990 to Nicholson et al.
- (23) U.S. Patent No. 4,932,973 issued 06-12-1990 to Gendler
- (24) U.S. Patent No. 4,946,468 issued 08-07-1990 to Li
- (25) U.S. Patent No. 4,950,296 issued 08-21-1990 to McIntyre
- (26) U.S. Patent No. 4,968,315 issued 11-06-1990 to Gatturna
- (27) U.S. Patent No. 4,968,316 issued 11-06-1990 to Hergenroeder
- (28) U.S. Patent No. 5,002,550 issued 03-26-1991 to Li
- (29) U.S. Patent No. 5,011,473 issued 04-30-1991 to Gatturna
- (30) U.S. Patent No. 5,041,129 issued 08-20-1991 to Hayhurst et al.
- (31) U.S. Patent No. 5,046,513 issued 09-10-1991 Gatturna et al.
- (32) U.S. Patent No. 5,067,962 issued 11-26-1991 to Campbell et al.
- (33) U.S. Patent No. 5,073,373 issued 12-17-1991 to O'Leary et al.
- (34) U.S. Patent No. 5,100,417 issued 03-31-1992 to Cerier et al.
- (35) U.S. Patent No. 5,102,421 issued 04-07-1992 to Anspach, Jr.
- (36) U.S. Patent No. 5,112,354 issued 05-12-1992 to Sires
- (37) U.S. Patent No. 5,141,520 issued 08-25-1992 to Goble et al.
- (38) U.S. Patent No. 5,156,616 issued 10-20-1992 to Meadows et al.
- (39) U.S. Patent No. 5,174,087 issued 12-29-1992 to Bruno
- (40) U.S. Patent No. 5,176,682 issued 01-05-1993 to Chow
- (41) U.S. Patent No. 5,179,915 issued 01-19-1993 to Cohen et al.
- (42) U.S. Patent No. 5,192,303 issued 03-09-1993 to Gatturna et al.
- (43) U.S. Patent No. 5,203,787 issued 04-20-1993 to Noblitt et al.
- (44) U.S. Patent No. 5,207,679 issued 05-04-1993 to Li
- (45) U.S. Patent No. 5,211,647 issued 05-18-1993 to Schmieding
- (46) U.S. Patent No. 5,217,486 issued 06-08-1993 to Rice et al.
- (47) U.S. Patent No. 5,258,016 issued 11-02-1993 to DiPoto et al.
- (48) U.S. Patent No. 5,269,809 issued 12-14-1993 to Hayhurst et al.
- (49) U.S. Patent No. 5,290,558 issued 03-01-1994 to O'Leary et al.
- (50) U.S. Patent No. 5,298,254 issued 03-29-1994 to Prewett et al.
- (51) U.S. Patent No. 5,312,438 issued 05-17-1994 to Johnson
- (52) U.S. Patent No. 5,423,860 issued 06-13-1995 to Lizardi et al.
- (53) U.S. Patent No. 5,439,684 issued 08-08-1995 to Prewett et al.
- (54) U.S. Patent No. 5,464,425 issued 11-07-1995 to Skiba
- (55) U.S. Patent No. 5,492,697 issued 02-20-1996 to Boyan et al.
- (56) U.S. Patent No. 4,702,250 issued 10-27-1987 to Ovil et al.
- (57) U.S. Patent No. 5,354,298 issued 10-11-94 to Lee et al.
- (58) U.S. Patent No. 5,782,863 issued 07-21-1998 to Bartlett
- (59) U.S. Patent No. 5,961,538 issued 10-05-1999 to Pedlick et al.
- (60) U.S. Patent No. 5,989,252 issued 11-23-1999 to Fumex

(61) U.S. Patent No. 5,683,418 issued 11-04-1997 to Luscombe et al.

Foreign Patent Documents

- (62) Canadian Patent No. 2,045,903 published 01-03-1992 to American Cyanamid Company
- (63) Canadian Patent No. 2,046,010 published 01-03-1992 to American Cyanamid Company
- (64) Canadian Patent No. 2,159,295 published 03-28-1996 to Mitek Surgical Products, Inc.
- (65) International Patent No. WO 93/09730 published 05-30-1993 to Jacques Bahaud
- (66) European Patent No. 684,013 A published 11-29-1995 to Luscombe et al.

Other Documents

- (67) RICHMOND ET AL., "Modification of the Bankart Reconstruction with a Suture Anchor", The American Journal of Sports Medicine, vol. 19, No. 4, pp. 343-346 (Jul./Aug. 1991).
- (68) WOLF, "Arthroscopic Capsulolabral Repair Using Suture Anchors", Orthopedic Clinics of North America, vol. 24, No. 1, pp. 59-69 (Jan. 1993).
- (69) CARPENTER ET AL. "Pull-Out Strength of Five Suture Anchors", The Journal of Arthroscopic and Related Surgery, vol. 9, No. 1, pp. 109-113 (Feb. 1993).

The above-identified documents 1-3, 5-8, 10, 12, 14, 16, 18, 20-22, 24, 26-31, 34, 35, 37, 39, 42-44, 46, 62, 63, and 67-69, which are listed on the accompanying Form PTO-1449 (four pages), were previously submitted to, or cited by, the Office in U.S. Patent No. 5,626,612. The above-identified documents 11, 13, 15, 19, 23, 32, 38, 40, 47-52, 54, 56-58, and 64-66, which are listed on the accompanying Form PTO-1449 (four pages), were previously submitted to, or cited by, the Office in U.S. Application Serial No. 09/712,062. The above-identified documents 9, 17, 25, 36, 41, 45, 53 and 55, which are listed on the accompanying Form PTO-1449 (four pages), were previously submitted to, or cited by, the Office in U.S. Application Serial No. 09/265,022. Copies of documents 4, and 59-61, which are also listed on the accompanying Form PTO-1449 (four pages), are enclosed. Applicants respectfully request that these documents be fully considered by the U.S. Patent and Trademark Office during the examination of this application and printed on any patent which may issue on this application. Applicants also respectfully request that a copy of Form PTO-1449 (four pages), as considered and initialed by the Examiner, be returned to the undersigned with the next communication.

A check in the amount of One Hundred Eighty Dollars (\$180.00) payable to the Commissioner of Patents and Trademarks also is enclosed herewith to cover the fee due in connection with this submission.

Please charge any additional fees due in connection with this submission, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this submission is enclosed for the convenience of the Examiner.

Thank you.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON.

September 10, 2003

(DATE OF DEPOSIT)

Scott R. Foster

(NAME OF ATTORNEY)

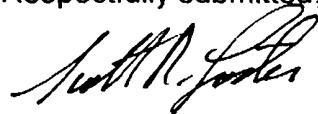
Scott R. Foster

(SIGNATURE)

September 10, 2003

(DATE OF SIGNATURE)

Respectfully submitted,



Scott R. Foster
Registration No. 20,570
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02154
Tel. (781) 290-0060

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

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Application Number	09/711,039
Filing Date	11/09/2000
First Named Inventor	Edwin C. Bartlett et al.
Group Art Unit	3731
Examiner Name	Gary Jackson
Attorney Docket Number	MIT-0223

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U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (If known)			
		1,538,173		Daughday	05-19-1925	
		3,254,890		Watson	06-07-1996	
		3,907,289		Bondu, Sr.	09-23-1978	
		3,973,277		Semple et al	08-10-1976	
		4,386,971		Melton et al.	06-07-1983	
		4,404,025		Mercier et al.	09-13-1983	
		4,502,896		Duerig et al.	03-05-1985	
		4,505,767		Quin	03-19-1985	
		4,524,765		de Zbikowski	06-25-1985	
		4,533,411		Melton	08-06-1985	
		4,553,543		Amarasinghe	11-19-1985	
		4,565,589		Harrison	01-21-1986	
		4,605,414		Czajka	08-12-1986	
		4,632,100		Somers et al.	12-30-1986	
		4,669,473		Richards et al.	06-02-1987	
		4,669,725		Taylor	06-02-1987	
		4,678,470		Nashef et al.	07-07-1987	
		4,738,255		Goble et al.	04-19-1988	
		4,741,330		Hayhurst	05-03-1988	
		4,832,026		Jones	05-23-1989	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴				
		CA	2,045,903	American Cyanamid Company	01-03-1992		
		CA	2,046,010	American Cyanamid Company	01-03-1992		
		CA	2,159,295	Mitek Surgical Products, Inc.	03-28-1996		
		WO	93/09730	Jacques Bahaud	05-30-1993		
		EU	684,013	A Luscombe et al.	11-29-1995		

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Edwin C. Bartlett et al.

3731

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Sheet 2 of 4 Attorney Docket Number MIT-0223

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		4,832,026	Jones	05-23-1989	
		4,898,156	Gatturna et al.	02-06-1990	
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		4,932,973	Gendler	06-12-1990	
		4,946,468	Li	08-07-1990	
		4,950,296	McIntyre	08-21-1990	
		4,968,315	Gatturna	11-06-1990	
		4,968,316	Hergenroeder	11-06-1990	
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		5,046,513	Gatturna et al.	09-10-1991	
		5,067,962	Campbell et al.	11-26-1991	
		5,073,373	O'Leary et al.	12-17-1991	
		5,100,417	Cerier et al.	03-31-1992	
		5,102,421	Anspach, Jr.	04-07-1992	
		04-07-1992	Sires	05-12-1992	
		5,141,520	Goble et al.	08-25-1992	
		5,156,616	Meadows et al.	10-20-1992	
		5,174,087	Bruno	12-29-1992	

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FOREIGN PATENT DOCUMENTS

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Sheet 3 of 4

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Application Number	09/711,039
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First Named Inventor	Edwin C. Bartlett et al.
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Attorney Docket Number	MIT-0223

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		Number			
		5,176,682	Chow	01-05-1993	
		5,179,915	Cohen et al.	01-19-1993	
		5,192,303	Gatturna et al.	03-09-1993	
		5,203,787	Noblitt et al.	04-20-1993	
		5,207,679	Li	05-04-1993	
		5,211,647	Schmieding	05-18-1993	
		5,217,486	Rice	06-08-1993	
		5,258,016	DiPoto et al.	11-02-1993	
		5,269,809	Hayhurst et al.	12-14-1993	
		5,290,558	O'Leary et al.	03-01-1994	
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		5,683,418	Luscombe et al.	11-04-1997	

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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